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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICARDO HERNANDEZ,

Defendant.

Case No. 2:24-cr-51-RFB-BNW

United States' Request to File Late
Response to Defendant's Motion to
Dismiss
[ECF No. 26]

On June 5, 2024, defendant Hernandez moved this Honorable Court to find that section 922(g)(1) is unconstitutional as applied to him, relying upon *United States v. Duarte*, 101 F.4th 657 (9th Cir. 2024). Under LCR 12-1(a)(2), the government's response was due 14 days later on June 29. Due to oversight of the undersigned AUSA, the filing deadline was missed. The government respectfully requests leave to file its response out of time the date of this filing.

Respectfully submitted this July 2, 2024.

JASON M. FRIERSON
United States Attorney

IT IS SO ORDERED:



RICHARD F. BOULWARE, II
United States District Judge
Granted nunc pro tunc 7/2/2024
Dated 7/8/2024

/s/ Daniel J Cowhig
DANIEL J. COWHIG
Assistant United States Attorney